

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CITY AND COUNTY OF SAN  
FRANCISCO, et al.,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION  
SERVICES, et al.,

Defendants.

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, et al.,

Defendants.

LA CLINICA DE LA RAZA, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

Case No. 19-cv-04717-PJH  
Case No. 19-cv-04975-PJH  
Case No. 19-cv-04980-PJH

**Related Cases**

**ORDER REGARDING ADMINISTRATIVE  
MOTION TO MANUALLY FILE  
ADMINISTRATIVE RECORD**

Before the court in each of the above-captioned, related cases is defendants' administrative motion for leave to manually file the administrative record. Defendants affirm that they have provided the administrative record—in what they believe is its entirety—to all plaintiffs in each action. Mot. at 1 & n.1. They argue that the Federal Rules of Civil Procedure and this court's Local Rules do not require filing with the court a

copy of the entire administrative record. Id. at 1. They also argue that the record is too voluminous to file on the court’s publicly-available docket, and they accordingly seek leave to send a copy of certain materials to the court on physical media (a hard drive or DVDs), which would be inaccessible to the public. No party has opposed defendants’ administrative motion, and the deadline to do so has passed.

The plaintiffs have brought certain causes of action pursuant to 5 U.S.C. § 706. When reviewing an agency action under that section, “the court shall review the whole record **or those parts of it cited by a party**[.]” 5 U.S.C. § 706 (emphasis added). Defendants represent that the whole record consists of “380,287 pages comprising approximately 123 Gigabytes of electronic information,” and as such would require “someone working full-time multiple months” to prepare and file with the court. Mot. at 1–2. Alternatively, they estimate that another method of filing would take “approximately 4,469 hours,” or “approximately 558 work days (or over two years when accounting for holidays and weekends) to file the record through ECF[.]” Id. at 2–3.

In short, defendants represent that the whole record would take months, or even years, to prepare and file on the court’s docket—to say nothing of the time it would take the court to read and analyze such materials. Given that the “whole record” is too voluminous to be filed with the court (much less reviewed by the court), the court’s review of the administrative record for plaintiffs’ APA claims will be limited to those parts of the record cited by a party. The court will not consider portions of the record that are not available on the court’s public docket. If a party does not believe the entirety of the record is necessary for the resolution of its case, it shall file through ECF only those portions of the record cited to in their briefs. Any portions not filed though ECF will not be considered by the court as part of the record on review.

**IT IS SO ORDERED.**

Dated: January 10, 2020

/s/ Phyllis J. Hamilton  
PHYLLIS J. HAMILTON  
United States District Judge